

Staff Variance Report
For
November 6, 2013 Commission Meeting

“A” category = staff recommendation is for approval with no equal alternatives because of noncompliance is not adverse.

“B” category = staff recommendation is for approval with equal alternatives as stated by the proponent.

“C” category = reserved, meaning staff believes Commission needs to discuss entirety.

“D” category = recommendation is for denial.

“I” category = incomplete (with permission of the Chairman).

“NVR” category = no variance required.

NOTE: All staff recommendations presume code statements on the variances by the applicant are correct, unless otherwise noted. This means that all code statements become conditions of the variances and, if not true, the variances would be subject to Commission sanction. All LBO and LFO responses that they have received a copy of the application for variance are in order, unless otherwise noted.

Tabled Variances:

- 13-01-36(b) **Lafayette Family YMCA – Lafayette**
C (b) *Remote exterior exits on the back of the building will not be provided with a sidewalk to the public way as required by code.* The exit discharge, “walking surface of the means of egress shall have a slip resistant surface and be securely attached”, this is interpreted to require a concrete sidewalk to the public way. The proponent advises that the code does not stipulate that the exit discharge be a paved surface and that a yard can be classified as a component of the exit discharge for a building. The hardship is the cost of installing sidewalks on the back of the building, which is estimated at approximately \$40,000.00. If the exit path away from the building is just mud or grass, how do wheelchairs get through it? Tabled at the request of the proponent. Tabled at the proponent’s request until the March meeting. Tabled at the request of the proponent until the April meeting. Tabled at the request of the proponent until the June 4th meeting. **Tabled at the request of the proponent until the December 3, 2013, meeting.**
- 13-06-2 D **SVT Elevators – Munster**
The current elevator was installed without a permit in 1982. The proponent wishing to have the elevator allowed to be maintained as it is without bringing up to today’s code, with the assumption that it was installed compliant to the code of record, assuming this is the correct time of installation. Proponent requested to be tabled until the July 2nd meeting. Tabled so proponent can get more information concerning the non-compliant conditions of the elevators and supply a list of the conditions from a certified elevator inspector. Tabled at the request of the proponent at the August meeting. **Tabled till the November meeting at the request of the proponent, so proponent can get the requested information for the Commission and the proponent did not attend the September meeting.**

- 13-06-9 D **SVT Elevators – Hammond**
*The current elevator was installed without a permit in 1982. The proponent wishing to have the elevator allowed to be maintained as it is without bringing up to today's code, with the assumption that it was installed compliant to the code of record, assuming this is the correct time of installation. **Tabled so proponent can get more information concerning the non-compliant conditions of the elevators and supply a list of the conditions from a certified elevator inspector. Tabled at the request of the proponent at the August meeting. Tabled till the November meeting at the request of the proponent, so proponent can get the requested information for the Commission and the proponent did not attend the September meeting.***
- 13-08-52 C **The International School of Columbus – Columbus** Project #366030
*The existing church structure is being changed to an "E" occupancy and is over area for that occupancy. The proponent advises that the buildings were constructed over the last 40 years and, prior to the leasing of the building to the school; the buildings were used for a large church and Sunday school. The basement will be sprinklered per code as part of this project. The change of use also includes two new exits, one from the basement to eliminate a dead end corridor and exit way from the furnaces and service panels and the other new exit is from the 2nd story of the athletic building. It provides access to the outside with a new hall and exterior stairs. The hardship is that the cost to sprinkler both buildings would be cost prohibitive and dividing the existing building with fire walls would be problematic. What is the cost to comply? Which building is the existing church building? The drawings don't identify any building as an existing church building. **Tabled to allow proponent time to do a Chapter 34 evaluation. Tabled at the request of the proponent till the November meeting.***
- 13-10-3 A **Spring Hills Suites – Bloomington**
*Kone EcoSpace Elevators with the capacity of 3,000-5,000 pounds will utilize 8 mm steel wire rope suspension cables and a 6 mm steel wire rope governor cable in lieu of the codes requirements for cable sizing. The current code requires a minimum diameter of 9.5 mm. The proponent advises that they will provide additional training, if requested by the State of Indiana, including rope gauges to each elevator inspector. **Tabled at the request of the proponent.***
- 13-10-5 BI **Corbin Storage – Greencastle** Project #367034
*The code required items from Table 29 in the IBC will not be provided, including the water closet, lavatory, service sink, and emergency eye wash station and shower. The proponent advises that this is a storage building located across the street from the owner's business. The building will be used to store excess building materials from the owner's HVAC business. The building will seldom be occupied and there are no plans to provide water or sewage service to the building. There are plumbing fixtures less than 100 feet away in the owner's existing building. **Tabled – no proponent.***

13-10-7(a)(b)(c)(d)(e)(f) **Gary City Hall – Modernization and Replacement of Freight Elevator – Gary**

- C (a) *The existing hoistway does not have a vent as required by the in ASME 17.1 Section 2.1.4 and the IBC in Section 3004.1.* The codes require that the vent be located at the top of the hoistway and shall open directly to the outer air or through noncombustible ducts to the outside air. The proponent advises that the existing elevator has been operating for many years under these conditions. The city plans to replace the existing inoperable elevator. The hardship expressed is the additional expense to install ventilation/air conditioning system that would be needed to comply with the codes. There are no alternatives given for the violation. What is the cost to comply?
- C (b) *The existing enclosure for the elevator machine room is ½ hour and code requires a minimum 2 hour rating.* The proponent advises that the existing elevator has been operating for many years under these conditions. The city plans to replace the existing inoperable elevator. There are no alternatives given for the violation. The ones listed are the same for all of the variances and have nothing to do with this condition. What is the cost to comply?
- C (c) *The existing machine room does not have independent ventilation or an air conditioning system to protect against the overheating of the electrical equipment as required in the IBC.* Currently the machine room is being served with the same HVAC unit that serves the entire building. The proponent advises that the existing elevator has been operating for many years under these conditions. The hardship expressed is the additional expense to install ventilation/air conditioning system that would be needed to comply with the codes. There are no alternatives given for the violation. What is the cost to comply?
- C (d) *The clear head room in the machine room is 81" and the code requires a minimum of 84", but there are some parts of the room that have a head room of only 61" due to a concrete beam which supports a brick wall that goes through the machine room.* The proponent advises that the existing elevator has been operating for many years under these conditions. The hardship is that it will be very expensive to modify the area to have a clear opening of 84" and a 2 hour fire rated enclosure for the machine room. What is the cost to comply?
- C (e) *The elevator machine room currently houses the air handling system for the building, which is not allowed by code.* The proponent advises that the existing elevator has been operating for many years under these conditions. The hardship is that it will be expensive to relocate the air handling equipment from the machine room. What is the cost to comply?
- C (f) *The code required smoke and heat detectors required for elevator lobbies and the machine rooms are not provided.* The proponent advises that the existing elevator has been operating for many years under these conditions. No hardship given. Why cannot this be done? **Tabled – no proponent. The Commission requested more information about the variances and the reasons that the conditions cannot be repaired.**

13-10-16(a)(b) **Midwest Technical Institute – Brownsburg**

- D (a) *The non compliant locking devices will not be removed as ordered by the local fire inspector, which require more than one operation to open.* The proponent advises that these devices are never locked and therefore would never need to be unlocked. The

proponent further advises that the exposure to active shooter scenario would leave the students, faculty and visitors without a secure means by which to defend themselves from harm. They advise that in a lock down situation only the responding law enforcement agency will unlock the locks. The hardship is the estimated costs to remove and put on new devices, which is estimated at \$70,000.00 to \$90,000.00. These locking devices in accordance to the pictures are a combination locking door handle and a dead bolt lock.

- D (b) *The non compliant locking devices which cause the user to grasp, pinch or twist to unlock will not be removed as ordered by the local fire inspector.* The proponent advises that these devices are never locked and therefore would never need to be unlocked. These locking devices in accordance to the pictures are a combination locking door handle and a dead bolt lock. **Tabled at the request of the proponent to research other types of locking devices.**

- 13-10-34 CI **Ivy Towns and Flats – West Lafayette** Project #367126
The code required dedeed property lines will not be provided for the 17 townhouse units that have been designed in accordance with the Indiana Residential Code. There are Indiana amendments in both the IRC and IBC that require the property lines in the definition of “townhouse”. The townhouses are located in 4 unit and 3 unit structures. The proponent advises that the townhouses will be separated by a 2 hour fire barrier wall as required in Section R317.2 of the IRC. The townhouse units will otherwise comply with all applicable IRC requirements. The hardship is the placement of the dedeed property lines creates the requirement to isolate all utility elements for each unit, increasing the cost of the project. Additionally, the process of recording dedeed property lines is not a simple process logistically from a local regulatory standpoint. **Tabled to allow proponent to obtain cost estimates for 13D systems.**

- 13-10-36 C **Angie’s List - Yellow House – Change of Use – Indianapolis**
The building being evaluated for a change of use through Rule 13 will exceed the code allowed 3,000 sq. ft., with an actual square footage of 4,314 sq. ft. or 1,314 sq. ft. over the amount allowed and only two stories are allowed. The proponent advises that the building, constructed in the 1880’s, was converted from a single family dwelling to an office building (B occupancy). The building is of Type VB construction and is 3 stories. The 1st floor is approximately 1,715 sq. ft., the 2nd floor is approximately 1,661 sq. ft. and the 3rd floor is approximately 938 sq. ft. The proponent advises that they will install an NFPA 13D sprinkler system, which is not required by code. The maximum travel distance from the 3rd floor to the exterior is 101 feet and code permits 200. The travel distance from the 3rd floor, which has two exits is 58 feet and code permits 75 feet. Exit signs and egress illumination will be provided as required by the code. The building will be occupied by staff and is not open to the public. The building will otherwise comply with the requirements of Rule 13. The hardship is the cost to comply with Section 3410 of the IBC. Compliance with Section 3410 would require the installation of a fire alarm system throughout, a smoke detection system throughout and enclosing the stairways with rated construction. What is the cost to comply? **Tabled so proponent can get more information about the number of occupants in the building.**

13-10-37

C

Angie's List - Blue House – Change of Use – Indianapolis

The building being evaluated for a change of use through Rule 13 will exceed the code allowed 3,000 sq. ft. with an actual square footage of 3,835 sq. ft. or 835 sq. ft. over the amount allowed and only two stories are allowed. The proponent advises that the building, constructed in the 1880's, was converted from a single family dwelling to an office building (B occupancy). The building is of Type VB construction and is 3 stories. The 1st and 2nd stories are approximately 1,450 sq. ft. and the 3rd floor is approximately 935 sq. ft. The proponent advises that they will install an NFPA 13D sprinkler system, which is not required by code. The maximum travel distance from the 3rd floor to the exterior is 82 feet and code permits 200. The travel distance from the 3rd floor to the 2nd, which has two exits, is 68 feet and code permits 75 feet. Exit signs and egress illumination will be provided as required by the code. The building will be occupied by staff and is not open to the public. The building will otherwise comply with the requirements of Rule 13. The hardship is the cost to comply with Section 3410 of the IBC. Compliance with Section 3410 would require the installation of a fire alarm system throughout, a smoke detection system throughout and enclosing the stairways with rated construction. What is the cost to comply? **Tabled so proponent can get more information about the number of occupants in the building.**

13-10-38(a)(b)

C

Angie's List - Dorman Building – Change of Use – Indianapolis

(a) *The Section 3410.6.9 evaluation does not pass the evaluation.* The variance request is to permit a score of +9.2 in lieu of 0.0 for "fire alarm system" in the Fire safety Column, 3.7 in lieu of 0.0 in the Means of Egress column, and 3.7 in lieu of the 0.0 in the General Safety column, for a total of 23.1 points. The proponent advises that the existing building is comprised of two buildings. There is a front and back building that are connected in the middle at the 1st floor. The building constructed in the 1880's was converted from an auto repair shop/dealership (S-1/B occupancy) to an office building. The first floor is approximately 3,422 sq. ft. and the second floor is approximately 3,335 sq. ft. The 1st floor on the back building is approximately 3,472 sq. ft. and the 2nd floor is approximately 2,450 sq. ft. The proponent advises that there will be a fire alarm system added to the building as part of the change of use. The maximum travel distance is 100 feet from the 2nd story and code allows 200 feet. The building constructed in the 1880's is very open with ceilings approximately 12 feet high. Cubicles are used in this space and the exits are readily seen. The hardship is that, to get a passing score using Section 3410, a new automatic sprinkler system in accordance with NFPA 13 would have to be provided throughout the entire building. This would render the change of use economically infeasible and the building would be abandoned. What is the cost?

C

(b) *The building will be evaluated under Section 3410 in lieu of compliance with all of the requirements for new construction. The variance request is to permit a score of 0 in lieu of -14 for vertical openings.* The building is Type IIIB construction and 2 stories. There are three exits from the 2nd floor of the front building. One is an unenclosed stair. A second is an exterior stair that is half a story down from the 2nd floor. The third is an exit onto the roof that connects to the back building. There are three exits from the back building. One is unenclosed stair. A second is an exterior stair. The third is an exit onto the roof that connects to the front building. A fire alarm system will be added to the building as a part of the change of use. The maximum travel distance is 100 feet from the

second story, and code permits 200 feet. The hardship is that it is cost prohibitive to enclose one of the stairs and have is discharge to the exterior. Exterior stairs were added to the front and the back building which comply with current code for rise, run, etc. These stairs function like an enclosed stair getting occupants out of the building without having to travel through the 1st floor to reach an exit. What is the cost to comply? **Tabled so proponent can get more information about the previous use of the building.**

13-10-42(a)(b)

CI

Illinois Place – Indianapolis

Project #361282

(a) *Dryer vents located on the exterior wall of the building are in some cases located less than 3 feet from openable windows, which is not allowed by code.* In most of the cases involved in the request, the distance is too close to windows below the vent in question, approximately 28 inches. The project involves the construction of several 3 story apartment buildings with a total of 50 units. The proponent advises that in the cases involving vents that are located above the windows in question, there will be very little risk in exhaust entering the building. The building is fully air conditioned. The windows in question will likely be open only intermittently and infrequently. The hardship is the vent locations were dictated by the maximum length permitted without booster fans. The cost to retrofit the installed vents, including installation of booster fans is estimated at \$36,000.00. How many vents are involved? What is the length of the vent runs? **Tabled so proponent can speak to design professional to explore options on venting.**

13-10-52

C

Boyd Corporation – Addition – Elkhart

Project #367023

The existing building is in noncompliance for allowable area and will be put into further noncompliance with the addition, because of lack of separation between the building and the property lines on the north, east, and south. The current building is F-1 occupancy of Type IIB construction and is 79,000 sq. ft. The building is fully sprinklered, but only has a 25' distance from the north property line. The proposed addition of 35,700 sq. ft. will be fully sprinklered and would be only 25' from the east property line and 30' from the south property line. The proponent advises that there are easements on three of the four sides that give some extra distance between the properties. There is a 30' utility easement along the north side of the adjacent property to the south which creates a 60' separation between the buildings to the south. There is an existing 35' easement along the west side of the adjacent property to the east, creating a 60' separation between the buildings to the east. The lot is currently undeveloped, but zoned for industrial. The two adjacent lots to the north, the eastern lot has a 15' utility easement along the south side creating a 40' separation between the buildings. This lot is currently undeveloped, but zoned industrial. The proponent proposes to install closely spaced sprinklers along the inside of the existing building and the addition exterior walls adjacent to this lot. The western of the 2 lots to the north has no easement. There is an existing building located 50' from the existing Boyd building and the proponent advises that they will install a deluge sprinkler system along the exterior side of the existing building adjacent to this lot. The hardship is the construction of fire walls to separate existing buildings would severely limit productivity because of the limits on openings allowed in the fire walls. Also the costs for the walls would be in excess of \$500,000.00. **Tabled – no proponent.**

13-10-56 CI **Gurdwara Jot Amrit Parkash – Fishers** Project #362664
Variance 13-04-51 was approved on April 4, 2013 for the use of the 1st floor of the building by the congregation for Sunday worship provided that they utilize a fire watch. The variance was approved for a period of 6 months and that time frame will be over on October 4th, 2013 and the request is to extend the time. The CDR was obtained on April 10th and an e-mail received from the City of Fishers Plan Reviewer on April 16th suggested that the building permit was in order and ready to be obtained. Site approvals are required before building permits can be issued and a legal drain running through the property has caused lengthy delays in the county review process. This project is hopefully on the Hamilton County Drainage Board agenda at their meeting on September 23, 2013 and this should be the final hurdle. The request is to have the same variance conditions extended through this variance until the project is completed. How long will this take? **Tabled for 30 days with no use of the facility by the proponent until all violations from the Fishers Fire Department Fire Marshal are corrected and to come back to the November meeting to discuss progress.**

New Variances:

13-11-1 CI **Hillside Apartments – Bloomington**
The code required sprinklers for the patios will not be provided. The proponent advises that the 2008 IBC sprinkler protection is required for all exterior balconies, decks, and ground floor patios of dwelling units of Type V construction. The proponent further advises that the 2009 IBC revised this requirement due to concerns voiced by the National Fire Sprinkler Association that these heads will not operate properly without a roof to collect the heat to activate it and may even decrease the reliability of the sprinkler system as a whole. The hardship is listed that following the code would require the removal of the already installed ceiling and that there are no sprinklers listed for this type of installation. No written documentation has been provided. The drawings provided show a two story structure. It's not clear whether they want to omit the sprinklers for the 1st floor patios or the 2nd floor open decks. The application refers to "patios", but the local officials' acknowledgements refer to "balconies" and "2nd floor open decks".

13-11-2 A **Big Four Station – Jeffersonville** Project #364686
The code required items from Table 29 of the IBC will not be provided as is required in storage occupancies. The proponent advises that the variance request is to waive the requirements for the fountain equipment/utility room for this project. They advise that this space will be accessed for fountain equipment and site electrical panel maintenance as required for annual upkeep to the park. They anticipate very low occupant volume and new public restroom facilities will be provided adjacent to the equipment room for city employees to use as needed. The fountain will be drained down in the winter months, so the occupancy within the space will be further reduced. The room will not be accessible to the public. The main room will be equipped for proper year round ventilation and supplied with hose bib and sump drainage for clean up as required. The hardship is that this is a publicly funded project, designing minimally for function and cost effectiveness was of utmost importance. Due to the very low occupant count, the required plumbing

fixture accommodations would prove to be a costly addition to the project that would be greatly underutilized.

- 13-11-3 AI **Three Rivers Luxury Apartments – Fort Wayne**
The code required occupant use hose station hoses will be removed from the structure. The proponent advises that they have fire extinguishers and the residents are not trained in the proper usage of the hoses. The hardship is the cost of maintaining the hoses.
- 13-11-4 A **Earlham College VPAC – Richmond**
The code required 9.5 mm cables will not be used in this KONE EcoSpace elevator installation and 8 mm steel wire rope suspension cables and 6 mm steel wire rope governor cable will be used. The proponent advises that they will provide training, if requested by the State of Indiana, including providing rope gauges to each elevator inspector. This type of elevator eliminates the need for an elevator penthouse, therefore lowering the cost of construction.
- 13-11-5 CI **Timberland Warehouse Shed – Indianapolis**
The code required fire hydrant will not be provided within 400 feet of all parts of the proposed structure. The proposed shed is 24' X 260' or 6,240 sq. ft. The proponent advises that the nearest hydrant is 287.2 feet northeast of the northeast corner of the proposed shed. The farthest part of any part of the proposed shed is approximately 510 feet from the nearest hydrant. The proponent advises that the proposed shed will not be regularly occupied by any employee of the Timberland Lumber Company, which will use the shed entirely for the storage of lumber. There will not be any hazardous activities taking place on the property including smoking, cooking, pyrotechnics, welding, or manufacturing in the shed. There is a fire house, IFD Station 30, directly across the street from the project site. The hardship is the conditions unique to the site make the shed's placement the only feasible location and to further extend the water main for the purposes of adding a fire hydrant is not economically feasible as the shed will have no water in it.
- 13-11-6 CI **Talbott Commons Remodel – Indianapolis** Project #359948
An existing retail space will be undergoing a change of occupancy to an A-2 occupancy restaurant that will have exhaust discharging into a 15 foot wide alley projecting 2 feet 6 inches from the exterior wall to the center line of the alley and 9 feet 4 ½ inches above grade and the code requires a minimum discharge of 10 feet from the assumed property line and a minimum of 10 feet above grade. The proponent advises that the building is protected with an automatic sprinkler system throughout per NFPA 13, 2010 Edition. There is a one hour fire resistive separation between the 2nd floor apartments and the 1st floor restaurant. The owner's hardship involves the cost of removing the installed new kitchen exhaust duct and fan housing. In addition the exhaust duct system could not extend vertically based on the existing building structural components will have needed extensive modifications.
- 13-11-7 BI **Sullivan Airport – Above Ground Fuel Tank Procurement – Sullivan**
A 12,000 gallon above ground fuel tank will be installed rather than the code compliant 10,000 gallon maximum fuel tank, for the fueling of the planes at the airport. The

proponent advises that they will be utilizing a UL2085 tank for this installation. The proposed tank will be connected to an existing fuel island. The UL 2085 tank is a two hour fire resistive tank that is double walled with secondary containment built into the tank. The proponent advises that the tank will have a 90% shut off requirement and the tank will be installed on a slope to allow water removal, which will essentially provide between 10,500 and 9,600 gallons of useable capacity. This will be a slight increase to their current capacity, which will allow the airport to only fill to capacity between 4 to 6 times per year. The hardship is that with the current capacity of the tank they are utilizing they only have between 8,000 to 8,500 gallons of useable capacity of the 10,000 gallon tank. Similar variances have been granted before.

- 13-11-8 A **Meadow Wood Senior Living Elevator #2 – Fishers**
The code required 9.5 mm cables will not be used in this KONE EcoSpace elevator installation and 8 mm steel wire rope suspension cables and 6 mm steel wire rope governor cable will be used. The proponent advises that they will provide training, if requested by the State of Indiana, including rope gauges to each elevator inspector. This type elevator eliminates the need for an elevator penthouse, therefore lowering the cost of construction.
- 13-11-9(a)(b) A **Valle Vista Hospital – Residential Unit – Greenwood**
(a) *The delayed egress hardware installed on the doors from a unit within the facility serving a licensed child caring institution are currently set for the code compliant 15 second delay, but the request is to allow a delay of 30 seconds.* The proponent advises that the unit served by the delayed egress locks is a supervised unit and in addition to staff being able to give instruction to the residents during an emergency, they all have keys to over ride the locks. The building is equipped with automatic sprinklers throughout. The facility is equipped with a fire alarm system activated by manual fire alarm system as well as corridor smoke detection. The exception allows the delay to be increased to 30 seconds when approved. The unit houses troubled adolescents who are inclined to a high degree of elopement. The owner does not want to provide any incentive to the residents to leave the facility as the residents could cause harm to others or themselves.
- C (b) *The reset for the delayed egress locking devices is required to be manually reset and the request is to allow remote resetting.* The proponent advises that the unit served by the delayed egress locks is a supervised unit and in addition to staff being able to give instructions to the residents during an emergency the staff all have keys to over ride the locks. The building is fully sprinklered and equipped with a fire alarm system activated by both manual and smoke detection. The hardship is that the unit served by the delayed locking device is a licensed Child Care Institution that is housed in a licensed Psychiatric Hospital. Some of the doors equipped with delayed egress locking devices serving the psychiatric hospital as well. For the security of the psychiatric patients and others it is critical to re-establish security quickly and with multiple delayed egress devices to reset, doing so manually cannot be accomplished as quickly as desired. How long does manual re-setting take?
- 13-11-10 CI **St. Peter's Lutheran Church and School – Addition and Renovation – Ft. Wayne**

Restrooms in two of the four new classrooms will not be constructed to be accessible as the code requires. The proponent advises that the owner will ensure that any disabled students are assigned to the classrooms that have accessible restrooms. An accessible toilet is provided off of the corridor. Accessible public toilets are provided elsewhere in the facility. Since the owner is a religious institution, there is not a conflict with the Americans with Disabilities Act. The hardship involves the expanding of the toilet rooms to provide for the required amount of floor space to make them accessible would cut into the floor space needed in the classrooms. What is the difference in the needed space and the provided space?

- 13-11-11 CI **In His Image Church – Kokomo**
The proposed church building will have an occupant load in excess of 300 and a fire area greater than 12,000 sq. ft. and will not be provided with the code required sprinkler system. The proponent advises that the building will be of Type IIB construction. The building will have a supervised manual fire alarm system. The building will have smoke detectors in the corridors and lobby. The hardship is that there is no public water at the site and, according to the local water utility company, there are no plans to extend water to this area in the future. The current church was flooded in the past year and cannot be repaired so this project needs to proceed. The proponent advises that there was a previous variance approved by the Commission in 2007 but, due to lack of funding, the project did not proceed. In searching the records, I found a variance (07-08-18) for the First General Baptist Church with the same owner and address for Section 903.2.1.3 of the 2003 IBC that was approved at the Commission meeting dated 8/7/07, with the condition that the proponent provide an automatic smoke detection system.
- 13-11-12 CI **Hoosier House Furnishings, LLC – Goshen**
The code required spray booths and storage room will not be provided with an approved automatic fire extinguishing system. The proponent advises that this is an existing manufacturing operation conducted in an existing industrial building. The actual coating usage in this operation is minimal. The spray booths and storage room are existing and not undergoing repair or renovation. The spray booths are constructed to modern standards and equipped with effective exhaust systems. All appropriate signage has been recently updated. The processes have been in operation in their current status since March of 2005. The hardship is that the operations are unable to function without the ability to operate their wood finishing equipment. The addition of suppression equipment inside the existing spray booths and storage room would require that these operations be taken off line for an extended time during the installation. How long would it take to install? Were the installations of these spray booths and storage areas filed with State Plan Review?
- 13-11-13 CI **Sincere Heart Adult Day Care Center – Merrillville**
The code required sprinkler system and fire alarm system will not be provided for the I-4 occupancy adult day care. The proponent has attached a drawing of the facility that shows they are adding exterior doors to all of the rooms that currently do not have them. A manual fire alarm system and direct wired smoke detectors will be added in each room. The hardship is the cost of the sprinkler system is estimated at approximately \$20,000.00.

What is the level of abilities of the people in the day care? Are they capable of self preservation?

- 13-11-14 AI **Caito Foods – Indianapolis** Project #366097
The code required service sink, emergency shower, eye wash station and drinking fountain will not be provided in the new building. The proponent advises that the sole purpose for this equipment staging building is for housing a hauler trailer during the loading of organic by products. A trailer is backed into the structure, the tractor is disconnected, and vegetable matter is blown into the trailer equipment. When full the trailer is removed and the vegetable matter is hauled to a local livestock feeder. The purpose for the building is to keep birds and pests away from the by product and to keep the rain water and snow from mixing with the organic matter. There are no personnel in the structure other than an occasional maintenance worker. The items not being installed in this building listed above are provided in another building that is nearby, within 400 feet travel distance. The hardship is the building is not heated and there is no room for these items so to add these items the structure would need to be enlarged. The estimated costs to do the site preparation, demolition, enlarge the building, insulate, and add the plumbing and heating is estimated to exceed \$30,000.00.
- 13-11-15 A **Eli Lilly Building K105A – EcoSpace Elevator – Indianapolis**
The code required 9.5 mm cables will not be used in this KONE EcoSpace elevator installation and 8 mm steel wire rope suspension cables and 6 mm steel wire rope governor cable will be used. The proponent advises that they will provide training, if requested by the State of Indiana, including rope gauges to each elevator inspector. This type elevator eliminates the need for an elevator penthouse, therefore lowering the cost of construction.
- 13-11-16 AI **College Park Condos – 1700 N. Lincoln St. – Bloomington**
The emergency escape and rescue windows are not compliant with the code of record. The code of record is the 1990 IBC which requires the windows to be a minimum of 5.7 sq. ft. of openable area, have a minimum opening height of 24 inches, and have a minimum opening width of 20 inches and a maximum sill height of 44 inches. The existing window in the front bedroom has an openable area of 4.72 sq. ft., and openable clear height of 20 inches and openable width of 34 inches and a sill height of 36 inches. The other window in question is the rear bedroom which has a clear opening of 4.63 sq. ft., a clear width of 33 ½ inches and a clear height of 19 ¾ inches and a sill height of 36 inches.
- 13-11-17 A **INDOT Historical Relocation of a House – Relocation from 502 West Market to 310 Mechanic Street – Jeffersonville**
The house is a moved structure that has a brick wall which was originally on the house and does not reach the code required 36 inches in height (per Section R312.1 of the 2005 Indiana Residential Code). The proponent advises that the wall goes around the porch and as existed is nearly 1 foot wide and provides protection from falling. The house is in the historical district of Jeffersonville and the desire of the owner is to maintain the historical look of the house as it was.

- 13-11-18 A **INDOT Historical Relocation of a House – Relocation from 432 Riversill to 309 Pearl Street – Jeffersonville**
The house is a moved structure that has a brick wall which was originally on the house and does not reach the code required 36 inches in height (per Section R312.1 of the 2005 Indiana Residential Code). The proponent advises that the wall goes around the porch and as existed is nearly 1 foot wide and provides protection from falling. The house is in the historical district of Jeffersonville and the desire of the owner is to maintain the historical look of the house as it was.
- 13-11-19 A **INDOT Historical Relocation of a House – Relocation from 502 Riversill to 411 West Market Street – Jeffersonville**
The house is a moved structure that has a brick wall which was originally on the house and does not reach the code required 36 inches in height (per Section R312.1 of the 2005 Indiana Residential Code). The proponent advises that the wall goes around the porch and as existed is nearly 1 foot wide and provides protection from falling. The house is in the historical district of Jeffersonville and the desire of the owner is to maintain the historical look of the house as it was.
- 13-11-20 AI **Indiana State University – North Residence Hall – East Building**
Project #358950
The new 4 story university residence hall of Type IIB construction will not have exterior walls that have been tested per NFPA 285, Standard Method of Test for the Evaluation of flammability Characteristics of Exterior Assemblies Containing Combustible Materials as required by code. The proponent advises that the building will be sprinklered throughout per NFPA 13. There is a proposed code change to the 2014 Building Code that was accepted by the committee to allow an exception for buildings fully sprinklered. The hardship involves the time and cost to run a fire test, plus the cost of probably upgrading the assembly with gypsum board.
- 13-11-21 AI **Indiana State University – North Residence Hall – West Building**
Project #358950
Same as 13-11-20.
- 13-11-22 DI **New World Players – Goshen**
They are requesting the occupant load be increased to 100 for any single event. The imposed occupant of 49 given to the theater by the local fire inspector in 2010, due to the use of a non-compliant exit stair, in accordance with the 2008 Indiana Fire Code, is being requested to be reversed to what was stated as being a compliant second means of egress by the local building official in 2005, so long as the exit was cleaned and that the 36" door was maintained unlocked. The proponent advises that the second exit is a staircase in the middle of the building, which was originally built in 1891. The first floor business partners maintain their businesses open and available for the use as exits through their businesses, when the theater is open. The proponent advises that they will provide

additional exit lighting and the closing of ventilation grille. They offer to add drywall to cover the upper windows, a one hour fire door to the basement and 5/8" drywall to the stairway north wall. The hardship is that the cost to bring the building up to the 2008 codes is greater than \$150,000.00.

- 13-11-23 AI **S. R. 1 Storage, LLC – Guilford** Project #366748
The code required items from Table 29 will not be provided for this storage facility. The proponent advises that the average daily traffic for the facility is 3 customers and the average stay is less than five minutes. The contracts for the facilities prohibit the storage or use of hazardous materials in the renter's space or on the premises. The proponent advises that they will undertake alternative action for the facility by providing a port-a-potty for use by their customers and employees. The hardship is that there is not a septic system or sewer tap on site. The building is not insulated and there is no heat source, so to install these items would be very expensive.
- 13-11-24 CI **Eat Drink Café Restaurant – Indianapolis**
The local building department cited the structure for not having the code required 60% of all public entrances being accessible. The proponent advises that the rear entrance is not at this time accessible. The proponent is willing to modify the grade at the rear entry location, to create a ramp and landing at the door. The ramp will not be code compliant, which is 1:12 but will need to be 2:12 slope. The sides of the ramp will be tapered to prevent hard edges. The hardship is that the area where the proposed work will be done is in the rear utility space for several tenants in the structure. The conditions affect multiple tenants in the building and this is the least invasive way to correct the situation.
- 13-11-25 AI **Panera Bakery Café #706 – Schererville**
The code required sprinkler system will not be provided for the newly expanded facility. The existing facility is 5,059 sq. ft. and the expansion area is 868 sq. ft. which will leave a total of 6,037 sq. ft. for the existing restaurant and the new food catering part of the facility. The occupant load is 130. The proponent advises that the sprinkler requirement had a variance approved for the original structure. The hardship is that the renovation is an upgrade to the existing facility to compete in the market and provide an additional service to their customers. The additional tenant space will be utilized only by the food catering employees in preparing large catering orders. No significant changes to the building will be done.
- 13-11-26(a)(b) CI **The Mezz – Carmel** Project #367055
(a) The new five story, podium construction, apartment building will have 100% horizontal exiting for two floor levels into an open parking garage and the code only limits horizontal exits to 50% of the required exits. The proponent advises that the building will be sprinklered with an NFPA 13 sprinkler system. The horizontal exits will be through a two hour fire wall. The open parking garage has two enclosed exit stairs. The garage has natural ventilation which should prevent the buildup of smoke. Another variance, 11-09-43(d) for The Avenue, was approved for a 4-story project, with the single exit from dwelling units going through a horizontal exit and having an NFPA 13R

sprinkler system. The hardship is the cost and floor area required to provide vertical exit stairs within the apartment structure. What is the cost?

- CI (b) *The new five story, podium construction, apartment building constructed of Type IA and VA construction will not be separated from the existing open parking garage of Type IIB construction by structurally independent fire wall as code requires.* The separation will be by fire barrier. The proponent advises that, as required by code, the new apartment building will be sprinklered with an NFPA 13. They also advise that there have been variances approved in the past for this, but none were listed. The owner's hardship is the cost and difficulty to provide a fire story structurally independent fire wall.

13-11-27(a)(b) **516 Northwestern Avenue – West Lafayette** Project #362996

- CI (a) *The new four story building of Type IIB construction will have plywood within a portion of the exterior walls which is not allowed by code for Type IIB construction.* The plywood blocking is intended as blocking for the attachment of metal panels. The proponent advises that the building will be sprinklered throughout with an NFPA 13 sprinkler system. The plywood is only in 7% of the exterior walls, where the exterior metal panels are found. The hardship involves the ability to attach the metal panels to the exterior wall. Isn't this a design issue?

- AI (b) *The new four story building of Type IIB construction will not have exterior walls that have been tested per NFPA 285, Standard Method of Test for the Evaluation of Flammability Characteristics of Exterior Non-load-bearing Wall Assemblies Containing Combustible Components, as required by the code.* The Energy Code requires insulation and the Building Code requires a water barrier, and some plywood is installed, thus this special test since the materials are combustible. The proponent advises that the building will be sprinklered throughout per NFPA 13. There is a proposed code change to the 2012 Building Code that this requirement will not apply to buildings sprinklered per NFPA 13 or 13R. The hardship is the cost to run the tests, plus the cost of probably upgrading the assembly with gypsum board.

13-11-28 C **Landmark Center, LLC – Evansville**

The two elevators have alarms in them and not the code required phones. Both elevators currently have buttons with alarms that are functioning properly at this time. The Notice of Violation is requiring that there be Two Way Communication installed in both elevators. The proponent advises that the Murphy Elevator Company will remove the buttons with the image of the phone and replace them with an image of an alarm to avoid any confusion to the public. They advise that there have never been phones in the elevators, only alarms. The code required phones at the time of original installation.

13-11-29 C **Tom Wood East – Mobile Office – Indianapolis**

The code required fire hydrant will not be located within 400 feet of the proposed mobile office. The nearest fire hydrant is 730 feet northeast of the northeast corner of the proposed office. The farthest part of any part of the mobile office is approximately 793 feet from the nearest hydrant. The proponent advises that the mobile office is 1,440 sq. ft. with two points of exit and will be used by Tom Wood East as a sales office for cars on the site. There will be no hazardous activity on the property, including, but not

limited to smoking, cooking, pyrotechnics, welding or manufacturing in the mobile office. The access to the mobile office for fire apparatus will be by a paved road to the immediate north of the property which is accessible by the fire department. The property immediately to the north east of the property is owned by Tom Wood Land and Cattle, LLC, and will commit to the installation of a dry hydrant in the pond located on that property and accessible by way of the paved road to the immediate north of the property. The pond is 335 feet to the nearest corner of the proposed mobile office and 422 feet to the farthest corner of the mobile office. The hardship is that the extension of the water mains would not be economically feasible and would far outweigh the cost of the mobile office itself. This building is called a shed and a mobile office by the proponent; which is it?

- 13-11-30 CI **Sweetwater – 2013 Expansion – Ft. Wayne** Project #365431
The new storage mezzanine of 3,238 sq. ft. will have one exit and a common path of travel of 116 feet and the code only allows 100 feet of travel distance in a sprinklered building. The proponent advises that the building and new addition will be protected with an automatic sprinkler system per NFPA 13 and the warehouse portion of the building will be protected with an ESFR system. The emergency voice/alarm system will be expanded to the new addition. The mezzanine will be used for long term storage and only accessed by employees. There will be no public in this area. The space will be occupied on a limited basis being accessed by employees once a week. The hardship is the additional cost of providing a second stair, approximately \$30,000.00, is not justified for the space that is not public space and accessed only by warehouse employees on a limited basis. No alternatives are offered.
- 13-11-31(a)(b)(c) CI **Historic Schnull Rauch House – Indianapolis**
 (a) *The building will be evaluated per Section 3410 of the IBC and, based upon the change of occupancy from “B” to “A-2”, the variance request is to permit an additional 82.6 points for Fire Safety, 79.6 points for Means of Egress, and 79.6 points for General Safety.* The project involves conversion of an existing 3 story 13,456 sq. ft. administrative building for use by the Children’s Museum of Indianapolis. The proponent advises that the negative points are derived almost entirely from the existing open stairs. The building is Type VB construction. The proponent advises that the building is 99.7% sprinklered except for a tile lined bathroom, of less than 50 sq.ft. in area, on the first floor. The maximum egress travel is approximately 100 feet and the code permits up to 250 feet. The hardship is that the building is listed on the National Register of Historic Places and enclosure of the openings is not possible in the constraints of maintaining this building’s historic features. (Note: The actual percentage of sprinkler coverage is 99.7%, although the application states “98%”.)
- AI (b) *Credit will be taken for a fully sprinklered building even though there is a bathroom of less than 50 sq. ft. on the first floor that is not sprinklered.* The proponent advises that the building is 99.7% sprinklered. The bathroom is finished with noncombustible features and combustible materials in the room will be limited to those used for hygiene. The hardship is the building is on the National Register of Historic Places and it would be difficult to install sprinklers without damaging the finishes.

- CI (c) *The third floor ballroom is served by a single exit. The ballroom is shown to be 1,592 sq. ft. and the exit goes into a hall that has access to two stairways. The hardship is the building is on the National Register of Historic Places. The proponent advises that there is no area available to install a second means of egress from the ballroom.*
- 13-11-32(a)(b)(c) **Cummins SEP High Horsepower Tech Center – Seymour**
- CI (a) *An existing manufacturing building of approximately 511,500 sq. ft. will be put into further non-compliance with the proposed addition of 78,000 sq. ft., which requires the building to meet the provisions for unlimited area and there is a railway right of way that is only 50 feet rather than the code required 60 feet away from the building. The proponent advises that the addition will not impact the existing open yard distance. The building is sprinklered and the addition will also be sprinklered per NFPA 13. The building height is approximately 25 feet in the affected area. The hardship is that the larger existing building is being found to be very useful to fulfill the mission of the company in the current day and the existing site cannot be changed. Any provisions for numerous fire walls would prohibit the efficient use of the floor area. What is the building construction type?*
- CI (b) *The existing exit travel distance will be increased to over the code allowed 250 feet to approximately 400 feet. This is an “F-1” occupancy. The additions and alterations such as this office area will increase the exit travel distance beyond the 250 up to 400 feet. The existing building is sprinklered and this addition will be sprinklered as well per NFPA 13. The proponent advises that the smoke modeling shows sufficient available safe egress time to allow occupants to evacuate the building. The hardship is the large existing factory and efficient equipment layout result in larger travel distances. Provisions for horizontal exits, exit passageways or underground tunnels are not practical for this existing factory. Can’t any more exterior exits be added?*
- CI (c) *The code limited 10% for A-3 use groups and to a tabular area of 9,500 sq. ft. is over the allowable amount in the existing manufacturing building of approximately 511,500 sq. ft. There are multiple areas in the plant including the employee cafeteria, conference rooms, etc. which are over the tabular area of Table 503. The aggregate area of both new and existing areas is approximately 11,300 sq. ft. (1,800 sq. ft. over allowable). The proponent advises that the aggregate A-3 use of 11,300 sq. ft. is less than 10% (2.2%) of the overall area of the building. The aggregate A-3 use 11,300 sq. ft. is over tabular by 1,800 sq. ft. or 18%. In this manufacturing building, with supporting engineering offices, A-3 use is primarily, if not always, used by people from within the building or visitors with employees, thus increasing familiarity with surroundings and egress. Assembly areas are direct accessory use to the primary function of the building. Ample egress time is provided by high ceiling heights and number of exits provided. The hardship involves the size of the A-3’s needed for such a large facility.*
- 13-11-33 C **IU Health Clinical Pathology Lab – Hazardous Materials Storage Study – Indpls.**
The code allowed number of flammable and combustible liquid storage cabinets will not be limited to the code allowed three per control area. The proponent advises that the building is fully sprinklered. The corridor system is protected with an automatic smoke detection system, which is not a requirement of the code. The building is Type IB (II-FR per the code of record) construction. The proponent advises that the model 2006 fire code does not limit the number of flammable and combustible liquid storage cabinets and

neither does NFPA 45. The limitation is based on the Indiana amendment. All of the cabinets used in the facility are UL listed cabinets. The facility keeps the chemicals necessary for testing located within cabinets, neat the respective worksite, in the listed cabinets until they are required for testing. Upon completion of the respective testing, the liquids are returned to their respective storage cabinets. If the facility is limited to three cabinets per control area, that would limit their 4th and 5th floors to only three cabinets per floor, which would require staff to bring the necessary quantities of chemicals up from the first floor, each day. Operationally, this would require the addition of personnel. What is the quantity that's stored in excess of the permitted amount?

- 13-11-34 BI **Brown Elementary School – Renovation – Brownsburg**
The elementary school will have a time out room and in school suspension rooms for which a staff member is required to push a button to lock the child in the rooms, which is not allowed by code, due to doors not being readily openable from the egress side without the use of a key or any special knowledge or effort. The proponent advises that the school is sprinklered. There will be video cameras and monitors inside the rooms. When the continuous pressure control button is released the door is free to open. The doors will swing out from the rooms. There have been several variances approved for this same type of locking devices. The hardship is at times there is a need to isolate a child and meeting the requirements for an "I-3" occupancy is difficult and expensive in an existing school.
- 13-11-35 C **I.U. Health Riley Hospital – Surgery Waiting – Second Floor – Indianapolis**
The stair doors will be locked against re-entry to the building on all floors, which is not allowed by code. The proponent advises that the stair doors are openable from the egress side at all times. The stair doors will unlock automatically from the stair side and permit reentry into the building upon activation of the fire alarm system or upon loss of power. The building is protected throughout with an automatic sprinkler system. The corridors are protected with automatic smoke detection system, which is not a requirement of the code. Several other variances similar to this have been approved in the past. The hardship is the proposed locking arrangement will prevent occupants from wandering through sensitive areas of the hospital and will increase hospital security. Under normal operation, occupants will still be able to egress at grade level. During fire alarm conditions, occupants will still be able to exit the stair enclosure at all other floors. Do the doors unlock upon activation of the sprinkler system?
- 13-11-36 BI **Stanley Convergent Security Solutions – 1st Floor Showroom Pods – Fishers**
Project #367923
The exhibit pods that are in place for periods greater than 90 days are not noncombustible as would be required by code for non load bearing partions that would be considered permanent due to the greater than 90 days they are on exhibit. The proponent advises that these are an international corporation built demountable and moveable exhibit systems (walls) for use in trade shows in an office space of Type IIB construction. The construction of the exhibit is combustibile construction materials (wood). The code would require all of the exhibit construction (nonload bearing partions) to be of noncombustible materials or fire retardant treated wood. The

proponent advises that the building is protected throughout with a sprinkler system per NFPA 13. Existing heads will be adjusted or additional sprinkler heads will be installed to provide proper coverage of all spaces to the new construction. The exposed wood surfaces "back of the house" will be painted with an intumescent fire retardant paint product meeting ASTM E-84 with a Class A rating. A smoke detection system will be installed in this area of the building and connected to the building fire alarm system. The square footage of the suite used as the permanent location is approximately 4,300 sq. ft. The pod area is approximately 2,300 sq. ft. All components and installations follow current code requirements. The hardship is the cost to completely rebuild this existing special purpose moveable exhibition system out of a noncombustible material or fire retardant treated wood, given the additional equal alternatives being provided.

- 13-11-37 B **I.U. Health Bedford Hospital – Modular MRI – Bedford**
An addition will be provided to an existing building, which is already larger than the maximum permitted allowable area and a structurally independent fire wall will not be provided as required by code. The proponent advises that the building is Type II-B construction and fully sprinklered. The new addition is a modular MRI unit of 900 sq. ft. and the modular unit will be of Type II-B construction. The modular MRI unit will be separated from the existing building with a 2 hour fire barrier. In addition to the means of egress through the hospital building, the modular MRI will have an exterior door directly at grade, complete with manual fire alarm pull station. This variance was before the Commission last month as 13-10-29 and it was stated that the modular unit would be constructed of Type I-B construction. The manufacturer is unable to construct a Type I-B modular structure in a cost effective manner. The variance last month was approved and this variance would be an amendment to that variance. The hardship is constructing a structurally independent fire wall and that it would not serve any functional purpose in this case.
- 13-11-38 AI **McDonalds – Mitchell – ACI 12055** Project #367054
The code required sprinkler system will not be provided for the restaurant with a calculated occupant load of 119. The existing building area of 3,508 sq. ft. will be increased with the addition of 470 sq. ft. The calculated occupant load includes the seating and kitchen area. The proponent advises that the fixed seating occupant load is 92 with a calculated kitchen/storage area occupancy of 7. State Plan Review requires an additional area for queuing which will increase the occupant load to more than 100. The travel distance to an exit from the public area does not exceed 52 feet and there are two separate exits from the dining area and an additional two exits are provided from the employee area. The hardship is dividing the kitchen, service area of seating area with a fire wall is not easy to accomplish within the existing building and would not significantly improve the safety for the occupants.
- 13-11-39 AI **Duke Energy – New Pole Barn – Bloomington**
The code required ventilation system required for enclosed parking garages will not be provided for this new 6,000 sq. ft. pole barn. The pole barn will be used for parking of company trucks. The proponent advises that the shelter will not be used for repair or maintenance of the trucks. The employees will open the garage door and either back or

pull the vehicles in, turn them off and exit the building and then reverse when they get the vehicles out the next day. The doors will be open will allow for natural ventilation. There is a proposed code change to the 2012 IBC for the proposed 2014 Indiana Building Code that would exempt incidental overnight parking of commercial vehicles from the ventilation requirements. The hardship is the cost of the ventilation system and the detection system to operate the system.

- 13-11-40 AI **Greene County General Hospital – Fire Hose Removal – Linton**
The occupant use hose stations required under the code of record are no longer required in a sprinklered I-2 occupancy. The proponent advises that the standpipe connections will remain as provided, but the hoses will be removed. The building is protected throughout with an NFPA 13 sprinkler system. The occupants are not trained in the use of the hoses provided and the fire department will not use the hoses and will provide their own hose lines. The hardship is the cost of maintenance and replacement of the existing hoses.
- 13-11-41 CI **Clinton Eagles – Addition – Clinton**
An open air canopy addition has been made to an existing lodge hall, that will cause the building to be over area for Type VB construction, which is not allowed by code. The existing building is 12,672 sq. ft. and the canopy is 1,320 sq. ft. The proponent advises that the canopy area will not contribute to the fire area of the building and is provided to accommodate outdoor seating and will not increase the occupant load in the existing building. The addition only represents approximately 10% of the area of the existing building and the canopy is needed to provide a suitable area for patrons to smoke in the event that a future state wide smoking ban is enacted. How do the people get to the outdoor area? Where do they use the restrooms? Are they not allowed in the building once they decide to smoke?
- 13-11-42 CI **Messmann's Meats – Hunterton** Project #364820
The Type I Hood required by Plan Review will not be provided for two meat smokers. The proponent advises that the 1 story building is classified as F-1 occupancy of Type VB construction. The building will be 1,960 sq. ft. in area and will be used for deer meat processing. Products include summer sausage, snack sticks and jerky. The building will be in operation 4 months of the year. The meat products are smoked at low temperatures and the grease is collected at the bottom of the oven for easy clean up. The smoke produced is not a heavy grease laden smoke. A ventilation hood will be provided that will meet the minimum requirements for a Type II Hood per the IMC. In addition cement board will be provided with a fire wrap to the roof deck and grease traps will be provided. Stove Top Fire Stop extinguishing canisters will be installed above the smoker ovens. Fire extinguishers will also be provided. The code states that Type I hoods are required for cooking creating grease laden vapors and the specifications for these smokers states that they must be installed under a vent hood. The hardship is the cost of a Type I hood for smoker ovens. What is the cost?

- 13-11-43 A **Red Cross Headquarters – Indianapolis**
The S-1 occupancy storage rooms and S-2 occupancy vehicle parking area will not be provided with the emergency showers and eye wash stations as required in Table 29 of the IBC. The proponent advises that the storage rooms will be used for general storage for office supplies and other items related to the administrative and support functions in the building and not for hazardous materials. There will be no vehicle repair work involved in the parking garage area. The hardship is the cost to provide plumbing fixtures providing no benefit to the public safety and welfare.
- 13-11-44 CI **Peru – Physical Therapy Office – Peru**
The code required one hour corridors will not be provided in a single story nonsprinklered “B” occupancy of approximately 5,900 sq. ft. The proponent advises that the building is provided with two complying exits per the requirements of Section 1019.1. The area of the facility is comprised of two spaces. The proponent’s stated hardship is the construction of one hour corridors and 20 minute self closing doors would add an unnecessary cost to the project and would negatively impact the aesthetic value of the design and would cause additional hardships to the therapy clients using walkers or in wheelchairs that would need to negotiate self closing doors.
- 13-11-45 B **201 North Delaware Street 2nd and 3rd Floor Renovation – Indianapolis**
The proposed stair egress will not be fully enclosed in a fire rated enclosure as required by code, based on connection to 3 stories and a basement. The proponent advises that the project involves the renovation of the 2nd and 3rd floors of the building for use as Arc Design’s office and will include construction of the new stair and elevator. The 1st floor and most of the basement level are occupied by an existing restaurant tenant. The building is Type IIIB construction – masonry bearing exterior walls and wood floor and roof structure. The proponent advises that the 2nd and 3rd stories and stair area will be provided with automatic sprinklers. The stair will be separated from the 1st floor restaurant with a 1 hour fire barrier. The ancillary storage areas will be separated from the rest of the basement with a 1 hour fire barrier. The floor opening between the 2nd and 3rd floors will be protected by a minimum 18 inch bulkhead with closed spaced sprinklers. The elevator and machine room will be enclosed with 2 hour construction as required. The floor ceiling construction between the 1st floor restaurant and the 2nd floor consists of 2 X 12 floor joists with a layer of 5/8 inch gypsum board and flooring consisting of 2 layers of 1 inch tongue and groove subfloor, a 2 inch topping slab and a quarry tile finished floor. The hardship is the additional enclosure of the stair and separation of the elevator from the stair element is not achievable without significantly impacting the existing 1st floor tenant space and usefulness of the 2nd and 3rd floors.
- 13-11-46 CI **Prairie Lakes – Noblesville**
The variance is to allow for one sanitary sewer lateral to serve one building, which consists of more than one townhome, which is not allowed by code. The proponent states that the variance will not be adverse to public health, safety or welfare, since the existing townhomes in the development have been constructed with one sanitary sewer lateral and one water line serving one building, which consists of more than one townhome. A written, binding and recorded easement will allow access to all portions of the sewer and

water line that serves each townhome in a building. The hardship is that implementing the code requirement in the new construction in an existing development is cost prohibitive. What is the cost?

- 13-11-47 CI **Summerlin Realty Corporation Building – Elevator State #33873 – Indianapolis**
The elevator safety bulkhead shall be replaced or additional safety shall be installed on this device. Variance #12-10-23 was granted to give them 1 year to install the required safety bulkhead. That variance required monthly service on this elevator to check proper oil levels, etc. They state that they are planning to become code compliant in the next year, but need time to financially be able to fund the project. The hardship is that he has just taken over the financial responsibility of the building from his father who is sick. He has had to spend a lot of money to do other repairs and wishes to have more time to complete the elevator work. How much more time are they requesting?
- 13-11-48 C **Building Bridges Early Learning Center – Greenwood**
A building of existing Type IIB construction requires the use of fire retardant treated wood framing where used for interior non-bearing wall construction and it has been discovered that this was not done by the previous tenants to the building, so a variance is being requested to not be required to tear out and replace all of these items. These items where the non-treated wood was used in building components include, but not limited to, interior wood decking, floor framing, and exterior egress stairways and landings (where pressure treated wood framing is proposed). The proponent has not been able to find a CDR for the previous work that was completed by the previous tenant. They have found an existing fire wall between occupancies that appears to be a 2 hour instead of the 3 hour fire wall that is required pursuant to exception “a” of Table 705.4. The local fire official suggested that the proponent pursue a variance rather than upgrade to a 3 hour wall and allow the non-fire-retardant treated lumber. Additionally, although not sprinklered, the design of the facility, an “E” occupancy (and a presumed change of occupancy from a Gold’s Gym), incorporates use of exception 1 to Section 1017.1, which would include exits at ground level for all rooms used for instruction. The hardship is that, due to the previous activity of the last tenant in constructing, the wood framed partition walls and raised floor framing; the current tenant has been left with a large amount of construction which would be cost effective to keep in place. What percentage of the building contains the non-compliant wood? When did the current tenant begin occupancy?
- 13-11-49 CI **Backstage Bar & Grill – Evansville**
The variance is to supersede Variance 13-06-11, which was previously approved for this facility stating that there was a fire alarm system in the tenant space. The request is to revise the variance, to permit smoke detectors in the basement to be tied to the existing monitored security system in lieu of an NFPA 72 fire alarm system. There is no fire alarm system, but instead a security alarm system with a few smoke detectors connected to the system and it is not an NFPA 72 approved system. The previous variance was approved with the condition that additional smoke detectors tied to the fire alarm system would be provided as well as a shunt trip that would turn off the sound system in the

event of an alarm. The proponent states that rated ceiling and associated construction will be provided as per the previous variance approval. A monitored security system is provided within the tenant space with smoke detectors tied to the system. Smoke detectors connected to the existing security system will be provided throughout the basement. The hardship is the estimated cost of the NFPA fire alarm system is \$16,496.00.

- 13-11-50 AI **The American Building – Indianapolis** Project #360409
The code required 31 3/8" clear width for alterations in Exception 2 of Section 404.2.2, ICC/ANCI A117.1, will not be provided by this existing historic door providing access to the bathroom and will instead remain at a width of 30". The proponent advises that the bathroom will function as a guest bath for the adjoining amenity guest suite, which is available for guests visiting the apartment tenants. The project involves the conversion of an existing 1929, 10 story office building to apartments. A standard adult wheel chair can pass through the doorway due to the 6' plus width of the corridor. The code mandated width accounts for having an angle through an opening and/or tall thresholds. The building is not subject to compliance with the Federal Fair Housing Act, since having first occupancy for any use was prior to the effective date of the Act – March 13, 1991. The door is one of several historic doors retained in the building due to their historically significant character.
- 13-11-51 CI **Ss Francis & Clare Catholic Church Parish – Administration Renovation** Project #364048
The new corridor openings installed in the existing corridor walls are not fire rated as required by code. The new openings include 3 new door assemblies and a window assembly. The building involved is classified as a "B" and "A-3" occupancies of Type VA construction. The door assemblies involved are provided with closing devices. The remainder of the existing egress corridor is maintained as a fire rated corridor, as required. The building involved is protected with an automatic sprinkler system below the ceiling level and sprinklers were added to all rooms as part of the project, but the attic is not sprinklered. The hardship is that the renovation work was designed based upon a sprinklered building and it was discovered after the fact by the designers that the attic was not sprinklered. What's the cost to sprinkler the attic?
- 13-11-52 C **Indiana Mentor – Merrillville**
The change of occupancy from a business/manufacturing facility to a mentoring facility, classified as an I-4 in the Notice of Violation issued by the Division of Fire and Building Safety, was done without bring the facility into compliance with today's code or a Chapter 34 evaluation. The change was caught by the state building inspector during a site visit. The proponent advises that they will be adding an additional exit to the space increasing evacuation from the building to two doors. A new fire alarm system will be including visual alarms which are adequate for the small space of 1,500 sq. ft. Battery powered exit signs will be provided for visual evacuating. They state they are getting quotes at this time, but they do not state for what. What are the violations that they aren't fixing?

- 13-11-53 CI **Linden Square II – Avon** Project #367116
The code required deeded property lines for townhouses will not be provided. The 14 townhouse units will be designed in accordance with the Indiana Residential Code. The IBC and IRC both require the property lines. The proponent advises that the townhouse units will be separated by 2 hour fire-rated construction as required by the IRC. The units will otherwise comply with all applicable IRC requirements. The model code definition in the IRC and IBC does not require property lines between the units. The Commission has approved a proposed code change to be included within LSA Document #13-339 that will permit the proposed design. The hardship is the placement of the deeded property lines creates the requirement to isolate all utility elements for each unit, increasing the cost of the project.
- 13-11-54 BI **Amos-Hill Building – Addition – Edinburg**
The proposed addition of approximately 21,600 sq. ft. to the contiguous existing building of approximately 60,700 sq. ft. will exceed the current code for allowable area. The buildings include a mix of steel frame and wood construction, classified as Type VB construction. Allowable area is approximately 38,250 sq. ft. based upon the limited frontage available. There will be three existing buildings demolished to allow the construction of the new addition. The facility, which produces hardwood veneers, is classified primarily as F-1 occupancy, and also includes S-1 occupancy (storage) and B occupancy (office) areas. The existing building construction dates from the original saw building in 1940 to several building additions up to 1990. The addition will be protected throughout with automatic sprinklers. The existing buildings within the contiguous building area are currently not sprinkler protected and will be provided with automatic sprinkler protection. The provision of sprinkler protection throughout the existing building will provide a greater degree of safety that constructing fire walls to separate the addition. The hardship is the operational hardship to provide fire walls for the addition, due to the need to have large openings between existing and new construction.
- 13-11-55 BI **The Overlook Building 1 – South Bend** Project #367468
The code required Type A Units will not be provided in the 4 story apartment building. The Type A Units are required at a rate of 2% of the total units. The building is classified as R-2 occupancy. The proponent advises that the design will comply with a proposed code change included in LSA Document #13-339 that will allow multi-family residential occupancies to be designed per the Federal Fair Housing Act in lieu of the IBC. The Fair Housing Act does not require Type A units, only “adaptable units”, the equivalent of Type B units per the IBC and ICC/ANSI A-117.1. Elevator access is provided to all floors. All units in the development are designed as Type B units. The hardship is that Type A units require larger clear floor space requirements for fixtures, reducing the useable space in units and rendering these units less attractive to the general market.
- 13-11-56 BI **Reflections at Bluestone Senior Living – Phase 2 – Greenfield**
This variance is to supersede Varaince 13-05-56 which was approved for this project in May of 2013. The original variance was to permit NFPA 13D sprinkler protection for 7 plex and 8 plex patio home buildings. The revised variance application is to request the same variance with the only change that one of the 7 plex buildings will be 6 plex and

one of the 8 plex buildings will be a 9 plex. The request is still for the same number of units. The other items are the same between the variances, the buildings will be protected with NFPA 13D sprinklers, each unit will have 2 exits to the exterior one front and one back, each unit will be separated by 1 hour fire barriers extending from the slab to the roof deck and each unit will have multiple station smoke detectors per Section 907.2.10.1.2 IBC as required. The hardship is the change of design for the 2 buildings was necessitated by a wetlands issue discovered after the initial planning of the project.

13-11-57(a)(b)

The Lofts at Pulliam Square – Indianapolis

CI

(a) *This variance request is to supersede Variance 13-09-47(e) approved at the September, 2013 meeting.* The original variance was to permit a portion of the Type IA “podium” building to have 2 story dwelling units – the Type IA building is permitted to be a maximum basement and 1 story above grade plane building. This variance request is the same, except that of the 9 “bays” involved in the original request, 4 will be 2 levels of residential flat and 1 will be a residential flat above a building storage room. Five (5) bays will remain 2 story dwelling units as originally requested. The project involves construction of wood frame apartments over a commercial/retail Type IA structure. The construction will adjoin an existing parking garage on the northeast corner of the site. All of the previous items listed on the first variance will be followed. The hardship is the proposed lower level 2 story dwelling units and 1 story flats are an important feature of the project. What’s in the storage area?

BI

(b) *The private balconies of approximately 60 sq. ft. will be designed for 40 psf live load to match the requirements for apartments rather than the current IBC requirements for 100 psf live load for all balconies in all occupancies covered by the IBC.* The proponent advises that the balconies are to be shop constructed with a steel channel perimeter and metal floor grating and supported by bolting the steel frame to the floor framing and steel angle kickers at the outside corner to the wall below. See the attached letter from the structural engineer. The project involves construction of wood frame apartments over a commercial/retail Type IA structure. The construction will adjoin an existing parking garage on the northeast corner of the site. The design will comply with a change included in the 2009 and 2012 editions of the IBC that permits balcony design to be based upon the occupancy served by the balcony. The hardship is the imposition of the rule will require steel columns from grade through the 4th floor level of wood framed apartments to carry the balconies. Along with the supplemental tie back steel required at the floor lines, the columns required will result in significant greater cost than the design permitted in the 2009 and 2012 editions of the IBC. What is the cost?

13-11-58(a)(b)

The Lodge at 829 North Penn – Indianapolis

DI

(a) *The rear entrance to the building will not be accessible as required by the code.* The proponent advises that the building is compliant with all codes other than ADA compliance. The hardship is that the building is on the Historical Preservation listing and there is not adequate room in the rear of the building to accommodate an accessible ramp installation due to the loss of parking. To gain the ramp access to the building, the exterior rear entrance would need to be demolished and raised to accommodate a change of entry floor elevation of approximately 37 inches to match the main floor level. This would result in an enormous cost and alterations of the existing exterior, thus changing

the historic nature of the entrance. What is the cost? How many other accessible exits are there? Why is the current Building Code being applied to this building when there's no change of occupancy?

- DI (b) *The code required adaptable unit will not be provided.* The proponent advises that the building is compliant with all codes other than accessibility. The hardship is that if the variance for the accessible ramp to the building, the accessible unit would not be required, due to the inability to gain access to the building.

13-11-59(a)(b)(c)

Reliable Care Adult Day Care – Evansville

- CI (a) *A Chapter 34 evaluation will be done on the change of occupancy that was done in 2004 to an Adult Day Care Center and was recently cited by the local authorities for having changed in 2004 without complying with 675 IAC requirements.* The proponent advises that Section 3410 will be used for the evaluation of the I-4 occupancy tenant space in lieu of the referenced NFPA 101A Standard (which does not have a corresponding occupancy to the I-4). The building is an existing 2 story Type VB structure constructed in approximately 1970 with 11,200 sq. ft. of total floor area, and with approximately 9,500 sq. ft. on the first floor. The tenant space evaluated is approximately 4,000 sq. ft. in area and has been used as an Adult Day Care Facility since 2004. The remainder of the building (2 story portion) is occupied by administrative offices for a separate tenant. There will be a smoke detection system provided throughout the tenant space. The tenant space has 2 exits at grade level directly to the exterior with a maximum egress travel distance of approximately 60 feet and code allows 200 feet. The tenant space is in the one story portion of the building. There is egress lighting and exit signs provided per code. The facility provides service for 18 to 20 adults per day with a minimum of 5 staff members present at all times. The hardship is there is not a corresponding chapter in NFPA 101A for an I-4 occupancy used as an adult day care. NFPA 101A, covers health care, board and care, detention and business occupancies.
- CI (b) *The Chapter 34 evaluation will be done for the 4,000 sq. ft. tenant space rather than the entire structure as required by code.* The building is an existing 2 story Type VB structure constructed in approximately 1970 with 11,200 sq. ft. of total floor area, and with approximately 9,500 sq. ft. on the first floor. The tenant space being evaluated is approximately 4,000 sq. ft. in area and has been used as an Adult Day Care Facility since 2004. The remainder of the building (2 story portion) is occupied by administrative offices for a separate tenant. There will be a smoke detection system provided throughout the tenant space. The tenant space has 2 exits at grade level directly to the exterior with a maximum egress travel distance of approximately 60 feet and code allows 200 feet. The tenant space is in the one story portion of the building. There is egress lighting and exit signs are provided per code. The facility provides service for 18 to 20 adults per day with a minimum of 5 staff members present at all times. The hardship is the imposition of the rule to evaluate the entire building would result in closing the business due to the prohibitive cost. What is the cost?
- BI (c) *The mandatory scores for an "E" occupancy in Table 3410.7 will be used for the evaluation of the change of occupancy to I-4 occupancy (each parameter is evaluated based upon the IBC requirements for an I-4 occupancy).* The building is an existing 2

story Type VB structure constructed in approximately 1970 with 11,200 sq. ft. of total floor area, and with approximately 9,500 sq. ft. on the first floor. The tenant space evaluated is approximately 4,000 sq. ft. in area and has been used as an Adult Day Care Facility since 2004. The remainder of the building (2 story portion) is occupied by administrative offices for a separate tenant. There will be a smoke detection system provided throughout the tenant space. The tenant space has 2 exits at grade level directly to the exterior with a maximum egress travel distance of approximately 60 feet and code allows 200 feet. The tenant space is in the one story portion of the building. There is egress lighting and exit signs provided per code. The facility provides service for 18 to 20 adults per day with a minimum of 5 staff members present at all times. The hardship is that there is no category in Chapter 34 for evaluation of an I-4 occupancy and the NFPA 101A standard referenced in the Indiana Amendment does not have a corresponding chapter in NFPA 101A for an I-4 occupancy used as an adult day care.

13-11-60(a)(b)

Ascension Health Ministries – Service Center Renovation – Indianapolis

BI

(a) *The bulkhead at the floor openings containing the monumental stair will have a depth of approximately 16" in depth in lieu of the 18" required by code.* The existing convenience stair connecting floors 4, 5, and 6 will be extended to include floors 1, 2, and 3. The proponent advises that the project involves the partial renovation of the 1st, 2nd and 3rd floors. Ascension Health will be taking over the entire 3rd floor and a portion of the 2nd floor as part of the project, and currently occupies the 1st, 4th, 5th and 6th floors. An identical variance, 11-04-45(a) was approved for floors 4, 5, and 6. The floor opening at each floor level will be protected with draft curtain consisting of close spaced sprinklers per NFPA 13 as required. The building is protected throughout with an automatic sprinkler system per NFPA 13. The proponent advises that based on the relatively low ceiling height the small distance in the bulkhead is not believed to be adverse. The hardship is based upon the floor to floor heights and the location of the existing HVAC units and other utility elements above the ceiling there is not sufficient height to provide a full 18" bulkhead from the ceiling level without creating a height violation from the floor to the bottom of the bulkhead.

CI

(b) *Based on the 1st floor containing other than "B" occupancy uses, the height of the convenience stair is limited to 4 stories in height per code.* The existing convenience stair connecting floors 4, 5, and 6 will be extended to include floors 1, 2, and 3. The current 1st floor currently includes A-3 occupancy conference space, as well as an area that is dining facility classified as A-2 occupancy is also planned on the 1st floor. The proponent advises that the project involves the partial renovation of the 1st, 2nd and 3rd floors. Ascension Health will be taking over the entire 3rd floor and a portion of the 2nd floor as part of the project, and currently occupies the 1st, 4th, 5th and 6th floors. The hardship is the use of a monumental stair for employee convenience is an important objective in the design.

13-11-61(a)(b)(c)

Reitz Memorial Soccer Field – Concession Building – Evansville

Project #366886

AI

(a) *The proposed 930 sq. ft. concession/restroom building to be constructed will not be provided with a permanent heating system in the concession portion of the building as required by code.* The building is planned for the high school soccer field. The

proponent advises the small heating units will be used to provide minimal heating in the restrooms, however there will be no permanent heating provided in the concession area. The building is being used only for soccer games in the fall, and is not used for extended periods of occupancy. The hardship is the cost to provide a permanent heating system for the planned infrequent use of the building.

AI (b) *The proposed 930 sq. ft. concession/restroom building to be constructed will not be provided with a drinking fountain as required by code.* The building will include a concession and restroom facilities for use during soccer games. The proponent advises that they will sell bottled water and water in cups will be available upon request. The hardship is the cost to provide and maintain a drinking fountain for the planned infrequent use of the building.

AI (c) *The proposed 930 sq. ft. concession/restroom building to be constructed on the high school soccer field will not be designed to comply with the Energy Code as required by code.* Based upon the provision of minimal heating during the limited time duration of occasional evenings in the fall soccer season, full compliance with the Energy Code is required. Small heating units will be provided in the restroom to provide minimal heat during soccer games during the limited fall soccer season. The hardship is the cost to provide compliant design to meet the Energy Code for a building with very minimal energy usage.

13-11-62

A

Dogwood Kennels – New Building – Lafayette

Project #366972

A non-listed fire panel with burglar alarm will be installed in the building where a fire alarm is not required per the code. The proponent advises that this is an elective installation and the fire alarm is not required by the code. The owner wants to add integral fire alarm with a building security system in a cost efficient manner. The hardship is the cost difference between the full fire alarm system versus the security system which also provides for fire alarm is substantial with upfront costs as well as monthly expense – listed panel \$3,435.00 + \$50.00 per month for fire panel only) versus (non-listed panel - \$2,280.05 (fire and burglar combined)). The listed panel cannot incorporate all the requested features the owner needs for the animals that will be housed.

13-11-63(a)(b)(c)(d) **Cardon Independent Living – Fishers**

CI

(a) *The library, lounge seating, and 2nd floor seating area will be open to the egress corridor, which is not allowed per the code for any rooms other than foyers, reception rooms, and lobbies in corridors that are required to have a fire rating.* The proponent advises that this is a 3 story independent living facility with residential dwelling units, with a small partial basement. The 1st floor will include independent living with other small amenity spaces. The building will be classified primarily as R-2 occupancy of Type VA construction. The rooms will each be separated from the corridor with a bulkhead and close spaced sprinklers. Additionally smoke detection will be provided in the spaces open to the corridor connected to the building fire alarm system. All dwelling units will be separated from the corridor with fire rated corridor construction, as required. The areas open to the corridor will not obstruct access to exits. The building will be protected with an NFPA 13 sprinkler system. The design of the corridor will comply with NFPA 101. The hardship is having the noted areas open to the corridor is an

important operational feature, and provides a home like atmosphere and promotes interaction among residents.

- BI (b) *The 2 story floor opening located in the main lobby does not specifically meet any of the exceptions noted for an unenclosed floor opening, as required by code.* The floor opening would be permitted if containing an unenclosed egress stair, which is specifically permitted by Section 1020.1, exception 8 of the IBC. The floor opening will be protected by a sprinkler curtain per NFPA 13, including bulkhead 18" in depth as permitted for escalator or monumental stair openings. The hardship is the 2 story lobby is an important feature of the building.
- BI (c) *A pair of nonrated full glass doors with glass transoms will be used at the entrance to the dining room in the 1 hour corridor wall behind the lounge space, but 20 minute doors are required.* The building will be classified primarily as R-2 occupancy of Type VA construction. Openings will be protected with quick response sprinklers on each side, located within 12" horizontally of the openings. The building will be protected with and NFPA 13 sprinkler system. The hardship is the full glass doors to the dining room will be an important operational feature.
- CI (d) *The clothes dryer exhaust duct lengths on the residential floors will exceed the code permitted 25 feet.* The building will be a 3 story independent living facility with residential units, with small partial basement. The 1st floor will include a dining room and other small amenity spaces. The building will be classified primarily as R-2 occupancy of Type VA construction. The proponent advises that the dryers will be installed throughout the project with exhaust systems that have the published capacity to provide adequate airflow to match the necessary lengths for dryer exhaust ducts where installed in accordance with the manufacture's installation instructions. The hardship is that the locations of the clothes dryers do not provide the capability of meeting the maximum of 25 feet equivalent length requirement. How long will the vents run be?

- 13-11-64 CI **Dale Presbyterian Church – Church Fellowship Hall – Dale**
The convenience connector between the existing church and the new building will not have the code required 2 hour fire barrier at each end of the connector. The proponent advises that both separate buildings are within allowable area for use and construction type. The connector is not required to exit for either the new or existing building. There is 30' between the old and new building. Providing the 2 hour fire barrier in the new construction adds minimal cost to the project. The hardship is the constructing of the 2 hour fire barrier at the connection to the existing building presents extreme construction issues as the connection is at a bell tower portion of the existing frame church. The cost to change the existing frame/wood siding of the existing building to a compliant 2 hour fire barrier with protected openings would exceed \$25,000.00. What about a sprinkler curtain? Are they installing the 2 hour fire barrier in the new construction?

- 13-11-65 BI **Main Gate Sports Bar and Restaurant – Evansville** Project #363166
The existing exterior awning, over the front sidewalk/entry was not provided with the code required sprinkler system. NFPA 13 requires "exterior roofs or canopies exceeding 4' in width" to be provided with sprinkler protection. The proponent advises that the awning consists of a light steel frame with a fabric covering. The awning is used as a sun shade for large front windows and as protection for patrons entering and leaving from

inclement weather. The building is classified as A-2 occupancy, with a single 2nd floor dwelling unit classified as R-3 occupancy and S-1 occupancy for the basement. The building is classified as Type IIIB construction (masonry exterior walls with wood frame/heavy timber floors and roof structure). There is no seating or other use in the sidewalk below the awning. The hardship is the logistics of piping dry sprinklers from the interior through the exterior wall to the underside of the canopy.

13-11-66(a)(b)(c)(d) **Steel Dynamics, Inc. – Equipment Lean-to Addition – Jeffersonville**

Project #366439

- CI (a) *An S-2 occupancy addition of 3,200 sq. ft. to an existing F-2/S-2 occupancy of 289,537 sq. ft. is over allowable area for Type IIB construction.* A nonsprinklered Type IIB construction “B” occupancy office/locker room (3.2%) accessory use reduces the required 60 feet of yard space. The proponent advises that the building has 60 feet of frontage except for the “B” occupancy accessory structure. Section 508.3.1 IBC would permit the “B” occupancy accessory structure and remain unlimited if attached to the unlimited area building. The addition is 1.1% of the total building area. The facility manufactures and stores steel products and the addition will house equipment to support the manufacture of steel products. The hardship involves the existing “B” occupancy building, which has been part of the complex for years. Will there be fuel storage in the new structure?
- AI (b) *The existing building does not have site accessible routes into the building or leading to the existing restroom as required by code.* The building has an existing restroom (not accessible) within the maximum permitted 500 feet. The hardship involves providing plumbing, drainage and new restroom for a normally unoccupied building. In addition, it is cost prohibitive to add accessible routes for site interior in the existing building.
- BI (c) *The new addition will not be provided with restrooms as code requires.* The proponent advises that there is an existing restroom within 100 feet of the proposed addition. The building has an existing restroom within the maximum 500 feet permitted by code. The purpose of the addition is for equipment that supports the production of steel products. The hardship involves providing plumbing, drainage and a new restroom for a normally unoccupied building. In addition adding plumbing for a restroom is not justified for the scope of the work.
- AI (d) *The existing restroom does not have accessible elements as is required by code.* The building has an existing restroom (not accessible) within the maximum permitted 500 feet. The hardship involves providing plumbing, drainage and a new restroom for a normally unoccupied building; in addition it is cost prohibitive to add accessible elements in the existing restroom. In addition, updating the existing restroom with accessible elements is not justified as there are no accessible restrooms with accessible elements routes to existing restrooms.

13-11-67(a)(b) **2063 North Meridian Street – Apartments Remodel – Indianapolis**

- CI (a) *An existing R-2 occupancy of Type IIIB construction building will undergo a partial change of occupancy in the basement from “B” occupancy to R-2 without complying with Chapter 34 review when not providing the fire resistive separation per Table 508.3.3.*

The proponent advises the new dwelling units will be provided with an automatic fire suppression system per NFPA 13D, 2002 Edition. Based upon Chapter 34, an interconnected smoke detection system will be provided for both new dwelling units that will also comply with the requirements for Section 907.2.10.1.2. A 1 hour fire partition separation will be provided as required between each dwelling unit. The existing contiguous dwelling unit has a 1 hour fire partition. The NFAP 13D fire suppression system is being provided as an alternative to the required 2 hour fire barrier separation. The hardship involves the cost to upgrade the existing 1 hour existing fire resistive assemblies. What is the cost?

- CI (b) *Each apartment unit will have a single means of egress directly to the exterior, instead of the 2 exits required for Chapter 34.* The proponent advises that the new dwelling units will be provided with an automatic sprinkler system per NFPA 13D, 2002 Edition. The proposed 2014 IBC would permit a space with a single means of egress with an occupant load of 10 or less and a common path of travel not exceeding 75 feet. Unit A is 853 sq. ft., 4 occupants and common path of travel of 60' 11"; Unit B is 959 sq. ft., 5 occupants and common path of travel is 56' ½". The owner's hardship involves the cost to sprinkler the new dwelling with an NFPA 13R system. There are a total of 4 dwelling units; 2 existing and 2 new. The existing units have one means of egress. There is a crawl space and property issue that makes a second means of egress for the new and existing dwelling units not feasible.

- 13-11-68 AI **Indiana University – IUB SCRS Pool Maintenance and Repairs**
The existing university swimming and diving pool, circa 1993, has dark colored blue tile inside the pool and the Swimming Pool Code in effect then required a light colored tile for facilitate the identification of any objects within the pool. The proponent advises that the pool had some maintenance work done over the summer and this issue was identified. The pool also includes a diving area and, typically, diving pools have dark colored tile so the divers can discern the difference, when doing rotations, between the ceiling and the pool. There have been no adverse events due to this dark tile. The hardship is the primary concern for the safety of the divers and the cost of removing the tiles and replacing with light colored tiles. What is the cost?

- 13-11-69 CI **Mishawaka Grove Development – Mishawaka**
The 3 story residential "Pod B, North Bank" portion of the development on top of the 1 story Type IA podium building will be designed with a single exit and per Table 1019.2 a single exit R-2 occupancy is limited to three stories above grade plane. The construction over the Type IA podium the three stories will be four stories from the grade plane. The north residential building is classified as R-2 occupancy of Type VA construction and the 1 story podium is classified as Type IA construction and will include parking and commercial tenants. The proponent advises that the design will comply with NFPA 101, which permits a 4 story single exit design based on compliance with all conditions noted. The stair will be enclosed with 2 hour fire barriers and discharge directly to the exterior. The maximum travel distance from within the unit to the exit will not exceed the permitted 50 feet. The three story residential building will be protected with a sprinkler system per NFAP 13R and the 1 story podium will be protected with an NFPA 13

system. The hardship is based upon the limited floor plate, providing 2 stairs that are remote is not easily achieved.

- 13-11-70 CI **Java Mama – Fort Wayne** Project #367447
The code required sprinkler system will not be provided for the A-2 occupancy with a calculated occupant load in excess of 100. State Plan Review calculated the occupancy load at 128 and the design professional calculated it at less than 99. The proponent advises that they will post a sign inside the facility stating a maximum occupant load of 99. They will also add a third exit from the play area directly to the outside from the play area. This is the last space in the strip center to be leased and it is 3,200 sq. ft. the balance of the strip center is 24,000 sq. ft. The center was built under the 2003 IBC. There are currently no sprinklers in the building. The hardship is that the water service to the building is not large enough for a sprinkler system and the expense to extend the water service and install the sprinkler system in this space is too much for the tenant. What is the cost to comply? What are the calculated occupant loads from both plan review and the design professional?
- 13-11-71 CI **Triumph Court Townhomes – South Bend**
The townhouse units (16 total) designed in accordance with the Indiana Residential Code included in the project will not be separated by deeded property lines, as required by code. The Indiana amendment definition for “townhouse” in the IRC and IBC both require property lines. The proponent advises that the units will be separated by a 2 hour fire barriers as required in the IRC. The townhouse units will otherwise comply with the IRC requirements. The model code definition in the IRC and IBC do not require property lines between units. The hardship is the placement of deeded property lines creates the requirement to isolate all utility elements for each unit, increasing the cost of the project and jeopardizing the viability of the project.
- 13-11-72 BI **Voice of God – Still Waters Youth Camp – Temporary Construction Tent - Lexington**
A construction tent will be used for a period of 1 year and 10 months and the code only allows a tent to be erected for a period of 30 days. The proponent advises that the existing youth camp will be undergoing several construction projects and the contractor staff will be housed in the construction tent. The tent is designed by Anchor Industries, Inc. The tent is flame resistant/retardant, Certification/Registration #F140.1/Tent Identification #1490060/Serial #8102701 and in compliance with NFPA 701/CPAI 84. The tent will not be utilized for cooking, has microwave and refrigerator, wash sink and coffee pot. The tent platform and anchoring, with a listed “tent heater” that will be thermostatically controlled, so snow and ice accumulation will not be an issue. The tent will be exclusively utilized by the construction workers and no overnight stay is permitted. The hardship involves the need to provide adequate shelter for the construction workers and a tent is more cost efficient than mobile construction trailers.

- 13-11-73 CI **Prologis Lebanon Commerce Park – Shell Building #1 – Phase 1 – Lebanon**
Project #365175
The variance is to allow the use of an alternate means of sprinkler protection, per a test done using the criteria from Reliable Model N252 EC sprinkler installed below a horizontal barrier in the racks. There is a report of the test attached. The proponent advises that NFPA 13 does not include criteria for Exposed Expanded Group A Plastics stored in racks. This test was done for this purpose and is what the proponent intends to follow. The proponent advises that they will take the alternative actions of installing the horizontal barrier and Reliable Model N252 EC sprinklers, one per bay in the longitudinal flue and one each in each transverse flue at the rack uprights, at approximately 20 feet above the floor to protect designated racks storing the Exposed Expanded Group A plastics. The in-rack EC sprinkler system is based on full scale testing at UL. The hardship is that, without this variance, the proposed storage of exposed expanded Group A plastics could be left inadequately protected.
- 13-11-74 BI **The Overlook Building 2 – South Bend**
Same as 13-11-55. Project #367471
- 13-11-75 BI **Carton 4-Plex Cottage Homes - Fishers**
The code required NFPA 13R sprinkler system will not be provided for this project. The proponent advises that these are 4 plex cottage home buildings. The structures are classified as R-2 occupancies of Type VB construction. The project includes three 4 plex buildings, building 2 is a single story slab on grade, building 2B is a single story with a partial walkout basement and Building 3 is a single story slab on grade. The buildings will be protected with NFPA 13D sprinkler systems. Each unit will have 2 exits to the exterior – front and back. Each unit will be separated with a 1 hour fire barrier extending from the slab to the roof deck. The garage connected to each unit will be separated from the unit as required per Section 406.1.4, of the IBC. Each unit will have multiple station smoke detectors per Section 907.2.10.1.2 of the IBC as required. The use of an NFPA 13D sprinkler system will help control construction costs for the cottage home buildings.
- 13-11-76(a)(b)(c) CI **Heritage Research Group – Building 500 – Indianapolis**
 CI (a) *The new H-4 building will be constructed adjacent to the existing H-4 buildings (five feet from one and ten feet from another and the exterior walls and openings of the new and existing buildings will not be rated. The proponent advises that the buildings are classified as H-4 occupancies because corrosives are used in the process. No flammable or combustible liquids are used in the buildings or processes. The buildings are constructed of noncombustible construction. The buildings pose no hazard to existing buildings within the site. There is an additional cost of providing rated exterior walls with little improvement in safety. What is the cost?*
 CI (b) *The new building and the existing buildings will not be provided with automatic sprinklers as required by code for H-4 occupancies. There is an additional cost of providing automatic sprinklers with little improvement in safety. What is the cost?*
 CI (c) *The new 3,830 sq. ft. building will not have restroom and drinking fountain facilities as required by code. The new building will be constructed adjacent to the existing buildings (five feet from one and ten feet from another), the building will expand existing*

operations and will be used to process hazardous waste. The plumbing facilities are provided in adjacent existing structure, building 400. The hardship is that providing plumbing fixtures required in Chapter 29 will significantly impact the cost of the project. What is the cost?

